

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
In re: :

SYNCAPSE CORP., : Chapter 15

Debtor in a Foreign : Case No.: 13-12410 (SMB)
Proceeding,
:
----- X

**PRELIMINARY INJUNCTION AND NOTICE OF HEARING ON RECOGNITION OF
A FOREIGN PROCEEDING UNDER CHAPTER 15 OF THE BANKRUPTCY CODE**

Upon the application (the “Application”) of MNP LTD., as the court appointed receiver (the “Petitioner”) of SYNCAPSE CORP. (the “Company”), the foreign representative in the proceedings under the Canadian *Bankruptcy and Insolvency Act* (the “Canadian Proceeding”), by its counsel, Perkins Coie LLP, pursuant to sections 105(a) and 1519 of title 11 of the United States Code (the “Bankruptcy Code”), for provisional relief, the Declaration of Alan Shiner in support dated July 25, 2013, ~~live witness testimony~~ **the evidence proffered at the hearing held on July 31, 2013 [SMB:7/31/13]**, arguments before the Court, together with exhibits, and based on the foregoing, upon a showing of good cause, the Court **HEREBY ORDERS**, that:

1. All parties in interest are ENJOINED from interfering with the Company’s access to its data on all servers located in the United States, or data that is transmitted within the United States **provided the Company pays for such post-petition access to its data in accordance with the terms of any existing contract or agreement with the party providing access to the data. [SMB: 7/31/13]**

~~2. All parties in interest are ENJOINED from taking any action against the Company's bank accounts located in the United States, unless otherwise expressly set forth in the Canadian Proceeding. [SMB:7/31/13]~~

3. All parties in interest are ENJOINED from terminating executory contracts entered with the Company on or before July 24, 2013 (the "Petition Date") **on account of a pre-petition default**; however, the Company is required to maintain the executory contracts on a post-petition basis. -[SMB:7/31/13]

4. The Petitioner is directed to schedule a hearing date with chambers and file an application for recognition forthwith, and provided notice in accordance with Rule 2002(q)(1). [SMB:7/31/13]

~~5. All parties in interest are ENJOINED from terminating services to the Company on an account of pre-petition default. [SMB:7/31/13]~~

~~6. Notice is hereby given that all parties in interest may come before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge for the Southern District of New York, for a hearing at 10:00 a.m. on August 27, 2013, at the United States Bankruptcy Court, Alexander Hamilton Custom House, Room 723, One Bowling Green, New York, New York 10004, or as soon thereafter as counsel may be heard, for a hearing on recognition of the Canadian Proceeding as a foreign proceeding under Chapter 15 of the Bankruptcy Code (the "Recognition Hearing"). [SMB:7/31/13]~~

7. Objections, if any, submitted for the purpose of opposing the Petitioner's request for relief as described above must be made in writing describing the basis therefore and shall be filed with the Court electronically in accordance with General Order M-242 by registered users of the Court's Portable Document Format (PDF), Word Perfect or any other Windows-based

~~word processing format, with hard copy to the Chambers of the Honorable Stuart Bernstein, and
served upon Perkins Coie, LLP 30 Rockefeller Plaza, New York, New York 10112(Attention:
Schuyler G. Carroll, Esq.), United States counsel for the Petitioner, no later than August 20,
2013 at 5:00 p.m. Eastern Standard Time. [SMB:7/31/13]~~

8. Petitioner is not required to post a bond ~~at this time.~~ [SMB:7/31/13]

9. This Order shall be effective for thirty (30) days ~~upon entry~~ **from the date** of the
Order [SMB:7/31/13], unless otherwise ordered by the Court.

Dated: New York, New York
July 31, 2013

/s/ *Stuart M. Bernstein*
STUART M. BERNSTEIN
United States Bankruptcy Judge

Issued at 2:20 p.m.